

REMARKS

Applicants have provisionally elected, for initial search and examination purposes only, the specie characterized as being directed to lipophilic amino acid derivatives. However, the election of species requirement is traversed.

The reason underlying the designation by the Office of both species of lipophilic compounds is not explained in sufficient detail or by example, and as such represents only a conclusion, particularly in view of the fact that the identified lipophilic compounds are related by operation and effect (for example, stabilizing effect). Accordingly, division of these species is unsupported and improper. See, MPEP §§ 802.01 and 806.04 (b).

Moreover, Applicants respectfully submit that even assuming the species of lipophilic compounds are materially different from each other, the search for all of these types of compounds would occur in substantially the same classes/subclasses. Thus, no burden would be placed on the Office in searching and/or examining all claims together. Accordingly, the Election of Species Requirement is traversed.

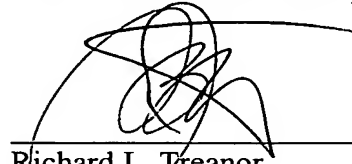
Application No. 10/685,505

Response to Election of Species Requirement dated April 6, 2006

Applicants respectfully submit that the above-identified application is now in
condition for examination on the merits.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to be 'Richard L. Treanor', is written over a horizontal line.

Richard L. Treanor
Attorney of Record
Registration No. 36,379

Jeffrey B. McIntyre
Registration No. 36,867

Customer Number

22850

Tel #: (703) 413-3000

Fax #: (703) 413-2220